

Bill no.:	HR 4157
Amendment no.:	1d
H.L.C.	
Date offered:	2/8/06
Disposition:	Agreed to by VV

**AMENDMENT TO MR. DEAL'S AMENDMENT IN THE  
NATURE OF A SUBSTITUTE TO H.R. 4157  
OFFERED BY MS. DEGETTE**

At the end of section 301 add the following new sub-section:

1 (d) STUDY AND REPORT TO ASSESS EFFECT OF  
2 SAFE HARBORS ON HEALTH SYSTEM.—

3 (1) IN GENERAL.—The Inspector General of  
4 the Department of Health and Human Services shall  
5 conduct a study to determine the impact of each of  
6 the safe harbors described in paragraph (3). In par-  
7 ticular, the study shall examine the following:

8 (A) The effectiveness of each safe harbor  
9 in increasing the adoption of health information  
10 technology.

11 (B) The types of health information tech-  
12 nology provided under each safe harbor.

13 (C) The extent to which the financial or  
14 other business relationships between providers  
15 under each safe harbor have changed as a re-  
16 sult of the safe harbor in a way that adversely  
17 affects the health care system or choices avail-  
18 able to consumers.

*or benefits*

1 (D) The impact of the adoption of health  
2 information technology on health care quality,  
3 cost, and access under each safe harbor.

4 (2) REPORT.—Not later than three years after  
5 the effective date described in subsection (c)(1), the  
6 Secretary of Health and Human Services shall sub-  
7 mit to Congress a report on the study under para-  
8 graph (1).

9 (3) SAFE HARBORS DESCRIBED.—For purposes  
10 of paragraphs (1) and (2), the safe harbors de-  
11 scribed in this paragraph are—

12 (A) the safe harbor under the last sentence  
13 of section 1128A(a) of the Social Security Act  
14 (42 U.S.C. 1320a-7a(a)), as added by sub-  
15 section (a)(1);

16 (B) the safe harbor under section  
17 1128A(b)(4) of such Act (42 U.S.C. 1320a-  
18 7a(b)(4)), as added by subsection (a)(2); and

19 (C) the safe harbor under section  
20 1128B(b)(3)(J) of such Act (42 U.S.C. 1320a-  
21 7b(b)(3)(J)), as added by subsection (b).

At the end of section 302 add the following new sub-  
section:

22 (c) STUDY AND REPORT TO ASSESS EFFECT OF EX-  
23 CEPTION ON HEALTH SYSTEM.—

1 (1) IN GENERAL.—The Inspector General of  
2 the Department of Health and Human Services shall  
3 conduct a study to determine the impact of the ex-  
4 ception under section 1877(b)(6) of such Act (42  
5 U.S.C. 1395nn(b)(6)), as added by subsection (a).  
6 In particular, the study shall examine the following:

7 (A) The effectiveness of the exception in  
8 increasing the adoption of health information  
9 technology.

10 (B) The types of health information tech-  
11 nology provided under the exception.

12 (C) The extent to which the financial or  
13 other business relationships between providers  
14 under the exception have changed as a result of  
15 the exception in a way that adversely affects the  
16 health care system or choices available to con- or benefits  
17 sumers.

18 (D) The impact of the adoption of health  
19 information technology on health care quality,  
20 cost, and access under the exception.

21 (2) REPORT.—Not later than three years after  
22 the effective date described in subsection (b)(1), the  
23 Secretary of Health and Human Services shall sub-  
24 mit to Congress a report on the study under para-  
25 graph (1).